

United States Court of Appeals  
for the Ninth Circuit

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CLERK, US DISTRICT COURT  
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MOTION TO REPLY TO CMC PLAINTIFF  
FAILURE TO FILE A JOINT STATEMENT

Cornelius Lopes

Plaintiffs

v.

Kevin DeLeon, Nancy Pelosi, Gavin Newsom, Maria Elena Durazo, Eloise Gomez  
Reyes, Janet Napolitano, Eleni Kounalakis, Xavier Becerra, Alex Padilla, Carl  
Guardino, Devin Nunes, Democratic National Committee, Congressional Hispanic  
Caucus, State of California

Defendants,

You Honor on 2-22-2022 the plaintiff paid for the process of service of certified mail that the compliant, the Order Setting CMC and Summons to be sent to the defendants. The process of services should mail the services to the Court prior to 3 10 2022 but it is that short window from the tome the complaint was delivered which prevented the plaintiff from being able to contact the defendants as they can only be reached by certified mail. The plaintiff request more time and believes by 3-29-2022 the CMC should be able to be completed by all parties involved.

*Cornelius Lopes*  
3-3-22

1 Your Name: Cornelius Lopes  
 2 Address: 6251 Quartz Place, Newark, CA 94560  
 3 Phone Number: 510 364 0640  
 4 Fax Number: \_\_\_\_\_  
 5 E-mail Address: corneliuslopes@gmail.com  
 6 Pro Se

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

10 Division *[check one]*: ☒ San Francisco ☐ Oakland ☐ San Jose ☐ Eureka

12 <u>Cornelius Lopes</u>	}	Case Number: <u>21-CV-09379</u>
13 _____		
14 <u>Plaintiff,</u>		<i>[Check box for party submitting statement]:</i>
15 <u>vs.</u>		<input checked="" type="checkbox"/> Plaintiff's <input type="checkbox"/> Defendant's
16 <u>Nancy Pelosi, et al.,</u>		<b>CASE MANAGEMENT STATEMENT</b>
17 _____	}	DATE: <u>03/03/2022</u>
18 _____		TIME: <u>1:30 pm</u>
19 _____		JUDGE: Hon. <u>James Donato</u>
20 _____		
21 <u>Defendant.</u>	}	

28 *[See the Instructions for more detailed information about how to complete this template.]*

**1. JURISDICTION**

*Mark the option that applies to your case.*

This Court has subject matter jurisdiction in this case under:

☒ Federal question jurisdiction because it is about federal laws or rights. *[List the laws or rights involved]* HR4502 is a Federal Constitutional "policy" which replaces reexisting federal immigration laws as a deterrence with providing social services, jobs and voting rights.

☒ Diversity jurisdiction because none of the Plaintiffs live in the same state as any of the Defendants AND the amount of damages is more than \$75,000.

**2. SERVICE**

*Complete the table to show when each defendant was served with the Complaint and whether any defendant will argue that this Court is not the correct one to decide this case.*

Defendant's Name	Date Served or Expected to Serve	Does Defendant dispute that the Court has personal jurisdiction?	Does Defendant dispute that this is the correct venue?
see attached sheet	2-22-2022	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
of defendants served	2-22-2022	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

☐ Check box if there are more defendants, and provide the above information for each defendant on an additional page at the end of this document.

**3. FACTS**

*Give a short description of the important facts in this case including facts that you and the other side disagree about. Add an additional page if needed.*

H.R. 4502 an operation decision which replaces all pre-existing federal immigration, which makes H.R. 4502 tax fraud a "political" Act amount to slavery of the Negro race and violated their Fifth Amendment, as well as the Fourteenth Amendment protects even those presence in this country is unlawful, involuntary, or transitory is entitled to that constitutional protection. HR4502 expands Medicaid to illegal immigrants Section 4106 Amends SSA title XIX Medicaid coverage of preventive services to illegal immigrants. HR4502 provides income under the earned income tax credit only to illegal immigrants and they are allowed to go back to 2020 to a tax credit. HR4502 allows for that tax credit to be \$110,000 per child, and HR4502 excludes American citizens. HR4502 is unconstitutional and is peonage which is owning a human being.

**4. LEGAL ISSUES**

*Briefly explain the laws the Plaintiff says the Defendant violated.*

Illegal immigrants to apply for and receive federal and state tax refunds.

Amends state income tax law, for tax purposes an individual of citizenship of immigration status

HR4502 impose a state-mandates local programs.

H.R. 4502 is money laundering in violation of 31 U.S.C. 5312(b)(2)(Y) & ENABLERS Act.

H.R.4502 is paying for and mirrors California law AB1593 which benefits illegal immigratnt.

H.R. 4502 is in violation of the Supremacy Clause v Title VI of the Civil Rights Act of 1964.

H.R. 4502 violates the 42 U.S.C. § 2000d; the Equal Protection Clause of the 14th Amendment.

This injunction will halt federal funding of entities that racially and nationally discriminate.

"Build Back Better" is not a means-tested benefit.

**5. MOTIONS**

*Complete the table to list any motions that have been filed or might be filed.*

Party filing motion	Type of Motion	Date of Ruling (or "pending" or "to be filed")
Requesting Injunction	HR5376 Motion Requesting Injunction	12-30-2021 pending
Requesting Injunction	SB1236 Motion Requesting Injunction	12-30-2021 pending

☐ Check box if there are more motions and add a page at the end with additional information.

**6. AMENDING THE COMPLAINT, ANSWER, COUNTERCLAIM/CROSSCLAIM**

*Mark one option to tell the Court whether you plan to change your claims or defenses.*

• The submitting party [name] \_\_\_\_\_

☐ does not plan to amend the Complaint.

☒ plans to amend the Complaint by [date] 3-29-2022

☒ Check box if you need to list more parties, and provide the above information for each party on an additional page at the end of this document.

**7. EVIDENCE PRESERVATION**

*Parties to a lawsuit must make sure that they are protecting and not destroying evidence that might be used in the case. Check the correct box or boxes.*

- The submitting party [name] \_\_\_\_\_ has
  - ☐ reviewed the Guidelines for the Discovery of Electronically Stored Information
  - ☐ spoken with the opposing parties about preserving evidence relevant to the issues one could reasonably understand to be part of this case
  - ☒ plans to do the above by [date] 3-29-2022

☐ Check if you need to list more parties, and provide the above information for each party on an additional page at the end of this document.

**8. INITIAL DISCLOSURES**

*Initial Disclosures are lists of information that the parties must send each other at the beginning of a case. Check the box that applies, and provide the agreed date if needed.*

- ☐ Parties have sent each other Initial Disclosures.
- ☒ Parties have not yet sent each other Initial Disclosures, but agree to exchange them by [date] 3-29-2022

**9. DISCOVERY**

*Give a short description of what you plan to investigate during discovery and if there are any discovery issues.*

How many illegal imigrants are wmplyed by the State of California and the federal government  
 Federal and State government employees cannot hire illegal imigratnts they must hire Americans.  
 Did Nancy Pelosi authorize the CDC to provide illegal immigrants with Covid 19 benefits?  
 How much money and what are the assets to the Peace and Freedom Party of California?  
 How many delegates have the Peace and Freedom Party of California been given or promised?  
 California Department of Social Services receives money and distributes it tto illegal immigrants  
 HR5376 is a work contract as a constitutional amendment.  
 To prove the defendants are EVIL people.

**10. CLASS ACTIONS**

Not applicable.

**11. RELATED CASES**

*Check the correct box to explain whether you are aware of any cases related to this one. If you check the second box, list the case number and the court, government agency, or other administrative body that will decide that case.*

The party submitting this statement

☐ is not aware of any related cases.

☒ is aware of related cases [list cases]: Santa Clara County case#21cv385753

District Court San Francisco #20-cv-07758, Appeals Court #21-16476

**12. RELIEF SOUGHT**

*State what the Plaintiff wants from the Defendant, or wants the Court to do, including any amount of money sought and how that amount was calculated. If a Defendant filed a counter or crossclaim, state the same information for the Defendant. Insert a page if needed.*

The defendants removed from office are tried by the US Military for treason and peonage.

The relief sought is to get their 401K state and federal balances.

Relief sought is to have the illegal immigrants removed from the United States.

Relief sought is the California pledge delegates and perminate delegates at conventions.

Relief sought is Superdelegats throught e primaries and caucuses af all state and fedael nominee

Relief is to remove companies associated with the SVLG as vendors for any federal and state

Relief is to have illegal immigrants removes from all U.S. food and medical supplies.

Relief is to stop educational, medical from States and the Feds to be given to illegal immigrants.

**13. SETTLEMENT AND ALTERNATIVE DISPUTE RESOLUTION ("ADR")**

*Check at least one box in each section. If you need information to help you decide how to resolve the case, explain what that information is.*

The parties:

The submitting party agrees to the following form of

☐ have tried to settle the case. ADR:

☒ have not tried to settle the

☐ Settlement conference with a magistrate judge

case.

☐ Mediation

☒ Other

Information needed: discovery and depositions of the defendants is needed.

**14. CONSENT TO HAVE A MAGISTRATE JUDGE HEAR THE CASE**

Mark one option to let the Court know if you consent to have a magistrate judge hear the case.

- The submitting party [name] \_\_\_\_\_

☐ does consent to a magistrate judge.

☒ does not consent to a magistrate judge.

☐ Check box if you need to list more parties, and provide the above information for each party on an additional page at the end of this document.

**15. OTHER REFERENCES**

In unusual cases, the judge may refer a case to another decision-maker. If this is one of those cases, cross out "Not Applicable," and write in who should hear this case.

Not applicable.

**16. NARROWING OF ISSUES, CLAIMS, OR DEFENSES**

Use this section to explain if issues in this case could be resolved by agreement or by written papers submitted by the parties ("motion"). Check the box that applies, and explain.

☒ Not applicable.

☐ Issues that can be resolved by agreement: \_\_\_\_\_

☐ Issues that can be resolved by motion: \_\_\_\_\_

**17. EXPEDITED TRIAL PROCEDURE**

If you have questions about the Court's Expedited Trial Procedure, contact the Legal Help Center.

Not applicable.

**18. SCHEDULING**

The Court usually fixes the case deadlines. If you want to propose a schedule, you can do so below. Be sure you will be in town and able to meet any deadlines proposed.

☒ Agree to have Court set deadlines.

☐ Proposed deadlines: \_\_\_\_\_

**19. TRIAL**

Check the box that applies and estimate how long the trial will last.



This case will be tried by a jury. The trial is expected to last 14 days.



This case will be tried by a judge. The trial is expected to last \_\_\_\_ days.

**20. DISCLOSURE OF NON-PARTY INTERESTED PERSONS OR ENTITIES**

This Section tells the Court if anyone who is not named as a party in the case will be affected by the outcome. Usually, if you are representing yourself, the answer is "None." If there is an "interested party," cross out "None" and write in the names.

None.

**21. OTHER MATTERS**

Use this section to discuss other issues that would assist with the just, speedy, and inexpensive resolution of this case.

The plaintiff ask the Court to rule in his favor on this two injunctions before the Court. Plaintiff is ready for trial.

NOTE: This document should not be longer than ten pages, including any pages you add at the end. Each party submitting this statement must sign and date below.

Date: 3/3/2022

Sign Name:

Print Name:

Cornelius Lopes

Pro se